IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE JURISDICTION

CRIMINAL WRIT PETITION NO.1544 OF 2004

Vasantkumar V. Kanabar ...Petitioner
Vs.
The Chief Secretary & Others ...Respondents

Mr. Vasantkumar V. Kanabar Advocate in person.

CORAM: V.G. PALSHIKAR &
ANOOP V. MOHTA, JJ.
DATED: 26TH OCTOBER, 2004.

P.C.

. By this Petition the Petitioner seeks Writ of mandamus directing the Respondent authorities to grant him sanction under Section 195 of the Code of Criminal Procedure to prosecute certain Officials named in.

. The Petitioner has alternate remedy by way of filing complaint under Section 2 (d) of the Code of Criminal Procedure. After primafacie case is made out the learned Judge would have power under Section 156 (3) Code of Criminal Procedure to order an investigation into the allegations made into the complaint. Investigation and subsequent prosecution would therefore be a responsibility of the Court before which the complaint is filed. Criminal Courts functioning under Code of Criminal Procedure are not

powerless in this regard. Hence the Petition is dismissed. The Petitioner shall however, be at liberty to take up the remedy of private complaint.

(V.G.PALSHIKAR,J.)

(ANOOP V. MOHTA, J.)